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Atty. Dkt. No. 10008075-1

REMARKS

This Reply is in response to the Office Action mailed on February 9, 2006 in which claims 16-20 were withdrawn and in which claims 1-15 were rejected. With this response, claims 3, 4 and 16-20 are canceled; claims 1, and 7-9 are amended; and claims 21-27 are added. Claims 1-2, 5-15 and 21-27 are presented for reconsideration and allowance.

I. Rejection of Claim 7 Based upon Nonstatutory Obviousness-Type Double Patenting

Sections 2 and 3 of the Office Action rejected claim 7 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 23 of US Patent 6,666,594. Claim 7, as amended, overcomes the obviousness-type double patenting rejection.

Claim 7, as amended, recites a method wherein transmittal error messages are automatically conveyed over the network in response to detection of the transmittal error.

Claim 23 of US Patent 6,666,594 does not recite automatically conveying transmittal error messages over a network in response to detection of the transmittal error. Thus, claim 7, as amended, overcomes the obviousness-type double patenting rejection.

II. Rejection of Claims 1-6 under 35 USC 102(e) Based upon Bernklau-Halvor

Sections 5-11 rejected claims 1-6 under 35 USC 102(e) as being anticipated by Bernklau-Halvor US Patent 6,782,495. Claims 3 and 4 are canceled and their limitations are incorporated into claim 1. Claims 1-2 and 5-6, as amended, overcomes the rejection based upon Bernklau-Halvor.

Claims 1, as amended, recites a system for garnering information on printer errors. The system includes a plurality of printers each of the printers incorporating a Web server and an error detector for detecting errors in printing functions. The system further includes at least one

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receiving computer and at least one online air database capable of receiving an error message generated by any of the plurality of printers.

Bernklau-Halvor fails to disclose a system having an error database that receives error messages from multiple computers. In contrast, Bernklau-Halvor specifically indicates that its database 116 only stores usage information from a single printer (See Col. 15, lines 27-28). Nowhere does Bernklau-Halvor disclose a database that collects error information from several different printers.

In rejecting claim4, the limitations of which have now been incorporated into claim 1, the Office Action refers to Col. 15, Lines 27-31 of Bernklau-Halvor. However, the portion of Bernklau-Halvor, when correctly read in context, does not disclose a database receiving error information from multiple printers. This portion of Bernklau-Halvors specifically states:

Usage Profile database 116 is used to store the Usage Profile information submitted from the user's printer. In addition to PhaserSMART submitted Usage Profile information, this database may also contain the Usage Profile information submitted via email from printers.

(Emphasis added) (Col. 15, Lines 27-31). In contrast to the assertion in the Office Action, this portion merely indicates different ways (PhaserSMART or e-mail) by which the Usage profile information for "the user's printer" may be submitted. The use of "printers" clearly does not mean that database receives error information from multiple distinct printers. Accordingly, claim 1, as amended, overcomes the rejection. Claims 2 and 5-6 depend from claim 1 and overcome the rejection for the same reasons.

III. Rejection of Claims 7-15 under 35 USC 103(a) Based Upon Bernklau-Halvor and Tanaka

Sections 13-22 rejected claims 7-15 under 35 USC 103(a) as being unpatentable over Bernklau-Halvor in view of Tanaka et al. US Patent 6,519,048. Claims 7-15, as amended, overcome the rejection based on Bernklau-Halvor in view of Tanaka.

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Claim 7, as amended, recites a method wherein transmittal errors are detected and a transmittal error message is generated. Claim 7 for the recites that the transmittal error message is automatically conveyed over the network with a web server in response to detection of the transmittal error. Support for such amendments to claim 7 as well as for similar amendments to claims 8 and 9 and be found in at least Paragraphs [0028] – [0030] in context of Paragraph [0005]. Thus, no new matter is believed to be added.

Neither Bernklau-Halvor nor Tanaka, alone or in combination, disclose or suggest a method wherein error messages are automatically conveyed to at least one online error database in response to detection of the error. In contrast, Bernklau-Halvor only transmits the usage profile record after the user has specifically requested support for the printer. (See column 2, lines 21-65). Until such a request is made by the user, the usage profile information is that most stored in the printer itself. (See column 4, lines 46-50; column 5, line 16-18). Column 4, lines 50-55 specifically states:

when a request for service is made to the supply server 12, the support server will request any usage profile information stored about the printer to be sent to it for analysis. Alternatively, the printer may send the usage profile information with the request for support.

(Emphasis Added).

Likewise, Tanaka also fails to disclose or suggest automatically conveying their information to an online air database. In contrast, Tanaka merely discloses that an error notification is sent to a manager or a supporter who performs maintenance of the printer. Accordingly, claim 7, as amended, overcomes the rejection based upon Bernklau-Halvor and Tanaka. Claims 8-15 depend from claim seven and overcome the rejection for the same reasons.

IV. Added Claims

With this response, claims 21-27 are added. Claims 21-27 are believed to be patentably distinct over the prior art of record and are presented for consideration and allowance.

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A. Claim 21

Claim 21 depends from Claim 1 and recites that the printer is configured to automatically generate and convey the error message over the network to the at least one online air database upon detection of an error.

As noted above, neither Bernklau-Halvor, Tanaka nor the prior art of record disclose automatic generation and convey in its of an error message over the network to an online error database upon detection of an error. Accordingly, claim 21 is presented for consideration and allowance.

B. Claim 22

Claim 22 depends from claim 1 and recites various types of error messages that may be generated and transmitted. For the reasons discussed above with respect to claim 1, claim 22 is presented for consideration and allowance.

C. Claim 23

Claim 23 depends from claim 7 and recites that the error message is selectively stored in one of a plurality of online error databases based upon at least one of a model type of the printer or a set of software programs being run by the printer. Support for added claim 23 may be found in at least Paragraph [0032] of the present application. Thus, no new matter is believed to be added.

The prior art of record fails to disclose or suggest selectively storing the error message in one of a plurality of online error databases based upon at least one of a model type of the printer or a set of software programs being run by the printer. Thus, at a claim 23 is presented for consideration and allowance.

D. Claim 24

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Claim 24 depends from claim 7 and recites that the error message is stored in a plurality of online databases. Support for added claim 24 may be found in Paragraph [0032]. Thus, no new matter is believed to be added.

The prior art of record fails disclose or suggest a single error message being stored in a plurality of online databases. Plus, added claim 24 is presented for consideration and allowance.

B. Claim 25

Claim 25 recites a method wherein errors at a first printer and a second printer are detected and corresponding first and second error messages are generated. Claim 25 further recites that both the first error message and the second error message are conveyed to an online error database over a network.

The prior art of record fails to disclose error messages from two different printers being conveyed to a single database. For example, as noted above with respect to claim 1, Bernklau-Halvor designates its database 116 for use with one particular printer. Accordingly, claim 25 is presented for consideration and allowance.

F. Claim 26

Claim 26 depends from claim 25 and recites that they are messages automatically conveyed in response to detection of the error. The prior art of record fails to disclose automatically conveying error messages in response to detection of an error. As noted above with respect to claim 7, neither Bernklau-Halvor nor Tanaka automatically convey an error message to an online error database in response to detection of an error. Accordingly, claim 26 is presented for consideration and allowance.

G. Claim 27

Claim 27 depends from claim 25 and recites that each of a first plurality of printers comprising a first model type or running a first set of software programs, the generated error

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messages are conveyed to a first online error database based on the first model type or the first set of software programs of each of the first plurality of printers. Claim 27 further recites that for each of the second plurality of printers having a second distinct model type or running a second distinct set of software programs, the generated error messages for such printers are conveyed to a second online error database based on the second distinct model type or the second set of software programs of each of the second plurality of printers.

The prior art of record, including Bernklau-Halvor and Tanaka, fails to disclose selectively conveying error messages to different error databases based upon the model number of the printer or a set of software programs being run by the printer. Accordingly, claim 27 is presented for consideration and allowance.

V. Conclusion

After amending the claims as set forth above, claims 1-2, 5-15 and 21-27 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

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Respectfully submitted,

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